

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	<u>INFORMATION</u>
	:	
-v.-	:	22 Cr. 400
	:	
NICHOLAS MONTEMARANO and	:	
OSCAR ABREU,	:	
	:	
Defendants.	:	
	X	
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**COUNT ONE**

**(Narcotics Conspiracy)**

The United States Attorney charges:

1. From in or about January 2021 up to and including in or about January 2022, in the Southern District of New York and elsewhere, NICHOLAS MONTEMARANO and OSCAR ABREU, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that NICHOLAS MONTEMARANO and OSCAR ABREU, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that NICHOLAS MONTEMARANO and OSCAR ABREU, the defendants, conspired to distribute and to possess with intent to distribute were: (i) 100 grams and more

of mixtures and substances containing a detectable amount of a fentanyl analogue, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (ii) 40 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION**

4. As a result of committing the offense alleged in Count One of this Information, NICHOLAS MONTEMARANO and OSCAR ABREU, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Asset Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

A handwritten signature in blue ink that reads "Damian Williams" with a stylized "RH" or similar mark at the end.

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DAMIAN WILLIAMS  
United States Attorney

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INFORMATION

22 Cr.

(21 U.S.C. § 846)

DAMIAN WILLIAMS  
United States Attorney

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